

AN ORDINANCE 100552

AMENDING CITY ORDINANCE NO. 89366, DATED MARCH 4, 1999, AND SECTION 33-044 OF THE SAN ANTONIO CITY CODE TO EXPAND THE ENFORCEMENT DUTIES OF THE SAN ANTONIO POLICE DEPARTMENT PUBLIC SAFETY TEAM VOLUNTEERS TO INCLUDE ADMINISTRATIVE VIOLATIONS OF THE VEHICLES-FOR-HIRE REGULATIONS OF CHAPTER 33 OF THE CITY CODE.

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WHEREAS, pursuant to Ordinance 89366, passed on March 4, 1999, San Antonio Police Department (SAPD) Public Safety Team (PST) volunteers may be authorized by the Chief of Police to act as disabled-parking enforcement volunteers, with the authority to issue citations for the improper use of disabled parking spaces; and

WHEREAS, pursuant to Ordinance 99606, passed on August 19, 2004, SAPD PST volunteers may also be authorized by the Chief of Police to act as fire-lane enforcement volunteers, with the authority to issue citations for the improper use of fire lanes; and

WHEREAS, it has proved difficult to ensure full compliance with the provisions of Chapter 33 of the San Antonio City Code by the ground transportation industry; and

WHEREAS, it is believed that authorizing SAPD PST volunteers to act as ground-transportation enforcement volunteers, with the authority to issue citations for administrative violations of the provisions of Chapter 33 of the San Antonio City Code, would enhance enforcement of said provisions; and

WHEREAS, in order to fully effectuate the authority of SAPD PST volunteers to act as ground-transportation enforcement volunteers, it is necessary to amend both Ordinance 89366 and Section 33-044 of the San Antonio City Code; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Ordinance 89366, passed on March 4, 1999, is hereby amended to include, in addition to its original provisions and those provisions adopted by way of Ordinance 99606, passed on August 19, 2004, the following provisions:

SECTION 12. The chief of police of the San Antonio Police Department may appoint any qualified person as a ground-transportation enforcement volunteer to issue citations charging persons with administrative violations of the provisions of Chapter 33 of the San Antonio City Code. The chief of police may remove any person appointed as a ground-transportation enforcement volunteer. The chief of police may adopt rules to implement the appointment, use, and conduct of ground-transportation enforcement volunteers.

SECTION 13. To be eligible for appointment as a ground-transportation enforcement volunteer, a person must: (1) be a United States citizen of good moral character who has

not been convicted of a felony; (2) take and subscribe to an oath of office prescribed by the city; and (3) successfully complete a training program of at least four hours in length developed by the city.

SECTION 14. A person seeking appointment as a ground-transportation enforcement volunteer must submit an application that, at a minimum, demonstrates that he meets the qualifications set out in Section 13.

SECTION 15. A person appointed as a ground-transportation enforcement volunteer is hereby authorized to issue citations to any person committing administrative violations of the provisions of Chapter 33 of the San Antonio City Code, as adopted and amended.

SECTION 16. A person appointed as a ground-transportation enforcement volunteer (1) is not a peace officer; (2) has no authority other than the authority applicable to a citizen to enforce a law other than those set out in section 15 (appointment as a ground-transportation enforcement volunteer, however, does not preclude appointment as a disabled-parking or fire-lane enforcement volunteer); (3) may not carry a weapon while performing the duties of a ground-transportation enforcement volunteer; (4) is not entitled to any compensation for performing the duties of a ground-transportation enforcement volunteer; and (5) is not entitled to indemnification from the city for injury or property damage the person sustains or liability the person incurs in performing the duties of a ground-transportation enforcement volunteer.

SECTION 2. Section 33-044 of the San Antonio City Code is hereby amended in its entirety as follows:


A vehicle for hire driver shall at all times keep a driver permit in the driver's possession and shall allow the director, a peace officer, or any other person authorized to enforce the provisions of this chapter to examine said permit upon request.

SECTION 3. This ordinance shall take effect ten days from the date of passage.

PASSED AND APPROVED this 10th day of March, 2005.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

Agenda Voting Results

Name: 36.

Date: 03/10/05

Time: 04:30:43 PM

Vote Type: Multiple selection

Description: An Ordinance amending City Ordinance No. 89366, dated March 4, 1999, and Section 33-044 of the San Antonio City Code to expand the enforcement duties of the San Antonio Police Department Public Safety Team volunteers to include administrative violations of the vehicles-for-hire regulations of Chapter 33 of the City Code. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8	Not present			
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		